



# House of Representatives

General Assembly

**File No. 548**

January Session, 2013

Substitute House Bill No. 6235

*House of Representatives, April 17, 2013*

The Committee on Planning and Development reported through REP. ROJAS of the 9th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

***AN ACT CREATING A STATE-WIDE TASK FORCE TO ADDRESS  
BLIGHT AND CONCERNING NOTICE OF FINES, PENALTIES, COSTS  
OR FEES FOR CITATIONS ISSUED UNDER MUNICIPAL  
ORDINANCES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1       Section 1. (*Effective from passage*) (a) There is established a task force  
2       to examine procedural problems with addressing blight at the  
3       municipal level. Such task force shall create model blight ordinances  
4       for municipalities to use as a guide and shall propose legislative  
5       solutions to allow municipalities to more effectively address blight in  
6       their communities.
- 7       (b) The task force shall consist of the following members:
- 8       (1) The chairpersons and ranking members of the joint standing  
9       committee of the General Assembly having cognizance of matters  
10      relating to planning and development, or their designees;

11       (2) Two appointed by the speaker of the House of Representatives,  
12 one of whom shall represent residential tenants;

13       (3) Two appointed by the president pro tempore of the Senate, one  
14 of whom shall represent residential landlords;

15       (4) One appointed by the majority leader of the House of  
16 Representatives, who shall represent the Connecticut Conference of  
17 Municipalities;

18       (5) One appointed by the majority leader of the Senate, who shall  
19 represent the International Council of Shopping Centers;

20       (6) One appointed by the minority leader of the House of  
21 Representatives, who shall represent the Connecticut Business and  
22 Industry Association;

23       (7) One appointed by the minority leader of the Senate, who shall  
24 represent the Connecticut Council of Small Towns;

25       (8) One appointed by the chairpersons of the joint standing  
26 committee of the General Assembly having cognizance of matters  
27 relating to planning and development, who shall be a member of the  
28 General Assembly who represents a municipality with a population of  
29 at least one hundred thousand;

30       (9) The Chief State's Attorney, or his or her designee; and

31       (10) The president and chief executive officer of Connecticut Main  
32 Street Center, or his or her designee.

33       (c) Any member of the task force designated or appointed under  
34 subdivision (1), (2) or (3) of subsection (b) of this section may be a  
35 member of the General Assembly.

36       (d) All appointments to the task force shall be made not later than  
37 thirty days after the effective date of this section. Any vacancy shall be  
38 filled by the appointing authority.

39 (e) The speaker of the House of Representatives and the president  
40 pro tempore of the Senate shall select the chairpersons of the task force  
41 from among the members of the task force. Such chairpersons shall  
42 schedule the first meeting of the task force, which shall be held not  
43 later than sixty days after the effective date of this section.

44 (f) The administrative staff of the joint standing committee of the  
45 General Assembly having cognizance of matters relating to planning  
46 and development shall serve as administrative staff of the task force.

47 (g) Not later than February 5, 2014, the task force shall submit a  
48 report on its findings and recommendations to the joint standing  
49 committee of the General Assembly having cognizance of matters  
50 relating to planning and development, in accordance with the  
51 provisions of section 11-4a of the general statutes. The task force shall  
52 terminate on the date that it submits such report or February 5, 2014,  
53 whichever is later.

54 Sec. 2. Subsection (c) of section 7-152c of the general statutes is  
55 repealed and the following is substituted in lieu thereof (*Effective*  
56 *October 1, 2013*):

57 (c) Any such municipality, at any time within twelve months from  
58 the expiration of the final period for the uncontested payment of fines,  
59 penalties, costs or fees for any citation issued under any ordinance  
60 adopted pursuant to section 7-148 or section 22a-226d, for an alleged  
61 violation thereof, shall send notice to the person cited. Such notice  
62 shall inform the person cited: (1) Of the allegations against him and the  
63 amount of the fines, penalties, costs or fees due; (2) that he may contest  
64 his liability before a citation hearing officer by delivering in person or  
65 by mail written notice within ten days of the date thereof; (3) that if he  
66 does not demand such a hearing, an assessment and judgment shall be  
67 entered against him; and (4) that such judgment may issue without  
68 further notice. For purposes of this section, notice shall be presumed to  
69 have been properly sent if such notice was mailed to such person's  
70 last-known address on file with the tax collector. If the person to  
71 whom such notice is issued is a registrant, the municipality may

72 deliver such notice in accordance with section 7-148ii, provided  
73 nothing in this section shall preclude a municipality from providing  
74 notice in another manner permitted by applicable law.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>October 1, 2013</i>	7-152c(c)

**PD**      *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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**OFA Fiscal Note****State Impact:**

Agency Affected	Fund-Effect	FY 14 \$	FY 15 \$
Legislative Mgmt.; Various State Agencies	GF - Potential Cost	Less than 1,000	None

**Municipal Impact:** None

**Explanation**

There may be a cost of less than \$1,000 to agencies participating in the task force to reimburse legislators and agency staff for mileage expenses.

**The Out Years**

There is no annualized ongoing fiscal impact as the task force terminates by FY 14.

**OLR Bill Analysis****sHB 6235*****AN ACT CREATING A STATE-WIDE TASK FORCE TO ADDRESS BLIGHT AND CONCERNING NOTICE OF FINES, PENALTIES, COSTS OR FEES FOR CITATIONS ISSUED UNDER MUNICIPAL ORDINANCES.*****SUMMARY:**

This bill limits a person's ability to contest a municipal default judgment by claiming notice of the citation was not received. The bill makes it a presumption that notice of a municipal citation was received if notice is sent to a person's last known address, as listed in the tax collector's records. By law, a municipality must send notice of the allegations; any fines, penalties, costs, or fees ("fine"); and the right to a hearing to a person cited for an ordinance violation. If a person does not respond to the notice within the 10-day period for contesting fines, a default judgment may be entered against him or her.

The bill also creates a 15-member task force to study procedural problems in addressing blight at the municipal level. The task force must draft model municipal blight ordinances and propose legislation to help municipalities address blight more effectively.

EFFECTIVE DATE: October 1, 2013, except the formation of the task force, which is effective upon passage.

**TASK FORCE**

The task force consists of the following 15 members:

1. the Planning and Development Committee chairpersons and ranking members or their designees;
2. two appointed by the House speaker, one of whom must represent residential tenants;

3. two appointed by the Senate president pro tempore, one of whom must represent residential landlords;
4. one appointed by the House majority leader, who must represent the Connecticut Conference of Municipalities;
5. one appointed by the Senate majority leader, who must represent the International Council of Shopping Centers;
6. one appointed by the House minority leader, who must represent the Connecticut Business and Industry Association;
7. one appointed by the Senate minority leader, who must represent the Connecticut Council of Small Towns;
8. one legislator appointed by the Planning and Development Committee chairs, who represents a municipality with a population of at least 100,000 (i.e., Bridgeport, Hartford, New Haven, Stamford, or Waterbury);
9. the chief state's attorney or his or her designee; and
10. the president and chief executive officer of Connecticut Main Street Center or his or her designee.

The appointing authorities must make their appointments within 30 days after the bill's passage and fill any vacancies. The House speaker and Senate president pro tempore must select the chairpersons of the task force from among the task force members. The co-chairpersons must schedule its first meeting within 60 days after the bill's passage. The administrative staff of the Planning and Development Committee must serve as the administrative staff of the task force.

The task force must submit a report on its findings and recommendations to the Planning and Development Committee by February 5, 2014. It terminates on that date or the date it submits its report, whichever is later.

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**COMMITTEE ACTION**

## Planning and Development Committee

Joint Favorable Substitute

Yea    19    Nay   0    (04/01/2013)